



530 Rec'd PCT/PTO

28 JUN 2002

Handwritten initials and signature: *PGT*, *Box*, *SEO*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 6799
Seishi KATO et al. : Docket No. 2002-0400A
Serial No. 10/088,859 : Group Art Unit Not Yet Assigned
Filed May 29, 2002 : Examiner Not Yet Assigned

A METHOD FOR PRODUCING AN
ANTIBODY BY GENE IMMUNIZATION

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents,
Washington, D.C. 20231

Sir:

Responsive to the Notice dated May 30, 2002, please amend the above-identified
application as follows:

In the Specification:

Page 1, line 1, delete the entire heading.

between lines 3 and 6, insert the following heading:

BACKGROUND OF THE INVENTION

line 6, replace the heading with the following new heading:

1. Field of the Invention

line 15, replace the heading with the following new heading:

2. Description of the Related Art

Handwritten initials: *MB*

Page 2, replace the paragraph beginning at line 22 with the following paragraph:

The purpose of the invention of the present application is to provide a method for producing antibodies to proteins, which were difficult to produce using presently known gene immunization methods.

line 31, replace the heading with the following new heading:

Summary of the Invention

Page 4, between lines 4 and 7, insert the paragraph in Appendix A attached herewith.

line 7, replace the heading with the following new heading:

Description of the Preferred Embodiments

Page 6, replace the paragraph beginning at line 12 with the following paragraph:

The following examples serve to illustrate the invention in more detail but are not intended as a limitation thereof. In these examples, basic procedures for recombination of DNA and enzyme reactions are carried out according to the articles, "Molecular Cloning; A laboratory manual", Cold Spring Harbor Laboratory, 1989. Restriction enzymes and a variety of modified enzymes were obtained from Takara Shuzo Co., Ltd., unless otherwise stated. The compositions of buffer solutions in respective enzyme reactions and the reaction conditions were set according to the specification attached.

Page 10, delete line 1 in its entirety.

replace the paragraph beginning at line 3 with the following paragraph:

Page 12, line 1, replace the heading with the following new heading:

replace the paragraph beginning at line 3 with the following paragraph:

The present invention of the application provides a method for producing an antibody which comprises inoculating an expression vector expressing a fusion protein to an animal, and isolating and purifying an antibody against an antigenic protein from the animal, wherein the fusion protein is an antigenic protein fused to the C-terminal side of a transmembrane domain in which the N-terminal side is located in the cell and the C-terminal is out of the cell. According to the present invention, an antibody against an antigenic protein, which was difficult to produce using presently known gene immunization, can be produced. The result is an antibody useful as drugs, diagnostic agents, and reagents for research.

Please replace the Sequence Listing of record with the attached substitute Sequence Listing.

In the Claims:

Above claim 1, insert the following:

What is claimed is:

REMARKS

The foregoing amendments are presented to place the application in compliance with the sequence rules under 37 CFR 1.821-1.825.

Applicants have submitted a Sequence Listing in both paper and computer readable form as required by 37 C.F.R. 1.821(c) and (e). Amendments directing its entry into the specification have also been incorporated herein. The content of the paper and computer readable copies are the same and no new matter has been added.

The specification has also been carefully reviewed and editorial changes have been effected. All of the changes are minor in nature and therefore do not require extensive discussion. Specifically, the specification headings have been amended in conformance with U.S. practice.

Also, the amino acid sequences disclosed in Figure 4 which represent portions of SEQ ID Nos: 9-13 have been identified and labeled in the Brief Description of the Drawings (See Appendix A) in accordance with U. S. practice.

With regard to the Notice also requesting that an executed Oath and Declaration be submitted, Applicants wish to note that an executed Oath and Declaration was submitted on May 29, 2002. A copy of the submitted executed Declaration is enclosed herewith along with the cover letter (indicating the filing of the executed Declaration). Applicants respectfully request that the

Patent Office review the application papers to ensure that the executed Declaration is present in the file.

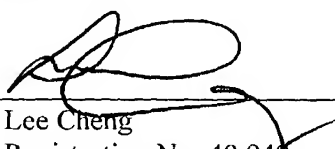
Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "Version with markings to show changes made."

In view of the foregoing, it is believed that each requirement set forth in the Notice has been satisfied, and that the application is now in compliance with the sequence rules under 37 CFR 1.821-1.825. Accordingly, favorable examination on the merits is respectfully requested.

Respectfully submitted,

Seishi KATO et al.

By: _____


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June 28, 2002

APPENDIX A

The amino acid sequence of HP01347 shown in Figure 4 corresponds to amino acid residues 1-72 of SEQ ID No: 9. The amino acid sequence of HP10328 shown in Figure 4 corresponds to amino acid residues 1-128 of SEQ ID No: 10. The amino acid sequence of HP10390 shown in Figure 4 corresponds to amino acid residues 1-50 of SEQ ID No:11. The amino acid sequence of HP10433 shown in Figure 4 corresponds to amino acid residues 1-135 of SEQ ID No: 12. The amino acid sequence of HP10481 shown in Figure 4 corresponds to amino acid residues 1-148 of SEQ ID No: 13.



~~DESCRIPTION~~

A Method for producing an Antibody by Gene Immunization

5

BACKGROUND OF THE INVENTION
1. Technical Field of the Invention

The invention of the present application relates to a method for producing an antibody by gene immunization. More specifically, the invention relates to a method of enabling easy production of an antibody useful as drugs, diagnostic agents, reagents for the research, and etc., and to an expression vector used in this method.

15

2. Description of the Related Background Art

An antibody has widely been utilized as reagents for the research for the purpose of detection, purification, elimination, inhibition of a protein or the like, because it has property of recognizing specific protein and binding thereto. Recently, it has widely been used not only as reagents for the research but also as drugs or diagnostic agents.

In producing antibodies, it has so far been general to use a method that a large amount of protein as an antigen is purified and injected to an animal or animals such as rabbits or mice to collect antibodies generated in sera. It required, however, much time and a great deal of labor to obtain a large amount of a purified antigenic protein. It is desired to provide a more convenient method for producing antibodies, accordingly.

Recently, it was reported that when a gene coding for an influenza virus nucleoprotein is integrated into an expression vector

and intramuscularly injected directly as DNA to mice, then virus proteins are produced in the murine bodies and additionally the antibody against these proteins are generated in the sera. (Ulmer et al., Science 259: 1745-1749, 1993; Ginsbert et al., "Vaccines 93"). As a result, this expression vector received much attention as a new type of vaccine, that is, DNA vaccine, since mice have acquired immunity to virus. Thus, it has been designated as gene immunization that an expression vector for an antigenic protein is inoculated directly to an animal to generate immunity. In using gene immunization, however, in some cases, the titer of the generated antibody is very low or no antibody is generated depending on the kind of the antigen used.

It was reported as an example of gene immunization that ovalbumin was fused in the downstream of transmembrane domain of transferrin receptor to form a membrane type and it was injected intramuscularly or subcutaneously to mice in order to investigate an effect of the expression site of antigenic protein on the efficacy of gene immunization. The titer of the antibodies generated, however, rather decreased since the protein was converted into a membrane type. (Boyle et al., Int. Immunol. 9: 1897-1906, 1997).

The purpose of the invention of ^{the} present application is to provide a method for producing antibodies to proteins, which ^{were} ~~it was~~ difficult to produce ^{using presently} in-so far known gene immunization methods.

Additionally, the purpose of the invention is to provide an expression vector used in the above-mentioned method for producing an antibody.

Summary **Disclosure of the Invention**

The present application, as the invention for solving the

Fig. 4 shows the respective N-terminal amino acid sequences of fusion proteins comprising urokinase and transmembrane domains in a variety of membrane proteins.

5

- Insert "Appendix A"

Description of the Preferred Embodiments
~~Best Mode for Carrying Out the Invention~~

10 In a method for producing antibodies according to the invention, the expression vector to be inoculated to animals may be constructed as an expression vector having a fusion polynucleotide that consists of a polynucleotide encoding an antigenic protein and a polynucleotide encoding a transmembrane domain.

15 As for an antigenic protein, any one that can generate an antigen-antibody reaction in vivo may be used. The polynucleotide encoding an antigenic protein may be any one of genomic DNA, cDNA, synthetic DNA, etc., as far as it has an open reading frame (ORF). When the antigenic protein is an inherent secretory protein, it is used
20 after removal of the signal sequence peptide originally possessed by the protein.

As for the transmembrane domain, any domain may be used as far as its N-terminal side is in the cell and the C-terminal side is out of
25 the cell. For example, transmembrane domains of type II-membrane proteins or those of multispan-type membrane proteins may be used. The proteins that an antigenic protein is fused to the C-terminal side of these transmembrane domains take forms that the antigenic protein portion exists on the surface of the cell membrane. As for the
30 transmembrane domain, for example, that of human type-II membrane protein HP10085 (SEQ ID NO: 2) may be used. In this case, the transmembrane domain to be fused with an antigenic protein is a polypeptide containing at least 1st methionine (Met) to 26th lysine (Lys)

immunoassay (ELISA), Western blotting, immuno-precipitation, antibody staining, and the like may be used. After confirmation of the presence of the antibody in the serum by these methods, the serum may be used as a polyclonal antibody specimen as it is or may be purified by affinity column chromatography to yield IgG. Alternatively, the spleen may be taken out from the animal acquiring immunity and the monoclonal antibody can be produced in a conventional manner.

Examples

The following examples serve to illustrate the invention in more detail and ~~specifically~~ but are not intended as a limitation thereof. In these examples, basic procedures for recombination of DNA and enzyme reactions are carried out according to the articles, "Molecular Cloning; A laboratory manual", Cold Spring Harbor Laboratory, 1989. Restriction enzymes and a variety of modified enzymes were obtained from Takara Shuzo Co., Ltd., unless otherwise stated. The compositions of buffer solutions in respective enzyme reactions and the reaction conditions were set according to the specification attached.

(1) Construction of an Expression Vector for the Urokinase-Fusion Protein

When urokinase is used as an antigenic protein, 3 kinds of expression vectors were used, that is, for secretion expression, for membrane form expression, and for intracellular expression. That is, the following vectors were respectively used: for secretion expression, pSSD1-UPA22 which expresses the signal sequence and protease domain of urokinase (Yokoyama-Kobayashi et al., Gene 163: 193-196, 1995); for membrane form expression, pSSD3-10085H which expresses a protein prepared by fusing a sequence from the N-terminal side to the

~~Industrial Applicability~~

According to the present invention, an antibody against an antigenic protein, which ~~it~~ was difficult to produce ^{using presently} in the so far known gene immunization, can be produced. The resulting ^{is} an antibody ~~is~~ useful as drugs, diagnostic agents, and reagents for ~~the~~ research.

CLAIMS

What is claimed is:

1. A method for producing an antibody which comprises inoculating an expression vector expressing a fusion protein to an animal, isolating an antibody against an antigenic protein from the animal and purifying the antibody, wherein the fusion protein is an antigenic protein fused with the C-terminal of a transmembrane domain of which the N-terminal side is located in the cell and the C-terminal side is out of the cell.
2. The method for producing an antibody of claim 1, wherein the transmembrane domain is a polypeptide having at least the amino acid sequence from 1st to 26th of SEQ ID NO. 2.
3. An expression vector expressing a fusion protein in which an antigenic protein is fused with the C-terminal of transmembrane domain of which the N-terminal side is located in the cell and the C-terminal side is out of the cell.
4. The expression vector of claim 3, wherein the transmembrane domain is a polypeptide having at least the amino acid sequence from 1st to 26th of SEQ ID NO. 2.

ABSTRACT OF THE DISCLOSURE

The present invention of the application provides a method for producing an antibody which comprises inoculating an expression
5 vector expressing a fusion protein to an animal, and isolating and purifying an antibody against an antigenic protein from the animal, wherein the fusion protein is an antigenic protein fused to the C-terminal side of a transmembrane domain in which the N-terminal side is located in the cell and the C-terminal is out of the cell.
10 According to the present invention, an antibody against an antigenic protein, which ~~it~~ was difficult to produce ^{using present} in the so far known gene immunization, can be produced. The resulting ^{is} an antibody ~~is~~ useful as drugs, diagnostic agents, and reagents for ~~the~~ research.

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#6

SEQUENCE LISTING

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FUJIMURA, Naoko
KOBAYASHI, Midori
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Met Arg Leu Thr
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cgg aag cgg ctc tgc tgc ttt ctt atc gcc ctg tac tgc cta ttc tcc 164
Arg Lys Arg Leu Cys Ser Phe Leu Ile Ala Leu Tyr Cys Leu Phe Ser
5 10 15 20

ctc tac gct gcc tac cac gtc ttc ttc ggg cgc cgc cgc cag gcg ccg 212
Leu Tyr Ala Ala Tyr His Val Phe Phe Gly Arg Arg Arg Gln Ala Pro
25 30 35

gcc ggg tcc ccg cgg ggc ctc agg aag ggg gcg gcc ccc gcg cgg gag 260
Ala Gly Ser Pro Arg Gly Leu Arg Lys Gly Ala Ala Pro Ala Arg Glu
40 45 50

aga cgc ggc cga gaa cag tcc act ttg gaa agt gaa gaa tgg aat cct 308
Arg Arg Gly Arg Glu Gln Ser Thr Leu Glu Ser Glu Glu Trp Asn Pro
55 60 65

tgg gaa gga gat gaa aaa aat gag caa caa cac aga ttt aaa act agc 356
Trp Glu Gly Asp Glu Lys Asn Glu Gln Gln His Arg Phe Lys Thr Ser
70 75 80

ctt caa ata tta gat aaa tcc acg aaa gga aaa aca gat ctc agt gta 404
Leu Gln Ile Leu Asp Lys Ser Thr Lys Gly Lys Thr Asp Leu Ser Val
85 90 95 100

caa atc tgg ggc aaa gct gcc att ggc ttg tat ctc tgg gag cat att 452
Gln Ile Trp Gly Lys Ala Ala Ile Gly Leu Tyr Leu Trp Glu His Ile
105 110 115

ttt gaa ggc tta ctt gat ccc agc gat gtg act gct caa tgg aga gaa 500
Phe Glu Gly Leu Leu Asp Pro Ser Asp Val Thr Ala Gln Trp Arg Glu
120 125 130

gga aag tca atc gta gga aga aca cag tac agc ttc atc act ggt cca 548

Gly Lys Ser Ile Val Gly Arg Thr Gln Tyr Ser Phe Ile Thr Gly Pro	
135	140 145
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Ala Val Ile Pro Gly Tyr Phe Ser Val Asp Val Asn Asn Val Val Leu	
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att tta aat gga aga gaa aaa gca aag atc ttt tat gcc acc cag tgg	644
Ile Leu Asn Gly Arg Glu Lys Ala Lys Ile Phe Tyr Ala Thr Gln Trp	
165	170 175 180
tta ctt tat gca caa aat tta gtg caa att caa aaa ctc cag cat ctt	692
Leu Leu Tyr Ala Gln Asn Leu Val Gln Ile Gln Lys Leu Gln His Leu	
	185 190 195
gct gtt gtt ttg ctc gga aat gaa cat tgt gat aat gag tgg ata aac	740
Ala Val Val Leu Leu Gly Asn Glu His Cys Asp Asn Glu Trp Ile Asn	
	200 205 210
cca ttc ctc aaa aga aat gga ggc ttc gtg gag ctg ctt ttc ata ata	788
Pro Phe Leu Lys Arg Asn Gly Gly Phe Val Glu Leu Leu Phe Ile Ile	
	215 220 225
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Tyr Asp Ser Pro Trp Ile Asn Asp Val Asp Val Phe Gln Trp Pro Leu	
	230 235 240
gga gta gca aca tac agg aat ttt cct gtg gtg gag gca agt tgg tca	884
Gly Val Ala Thr Tyr Arg Asn Phe Pro Val Val Glu Ala Ser Trp Ser	
	245 250 255 260
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Met Leu His Asp Glu Arg Pro Tyr Leu Cys Asn Phe Leu Gly Thr Ile	
	265 270 275
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Tyr Glu Asn Ser Ser Arg Gln Ala Leu Met Asn Ile Leu Lys Lys Asp	
	280 285 290
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Gly Asn Asp Lys Leu Cys Trp Val Ser Ala Arg Glu His Trp Gln Pro	
	295 300 305
cag gaa aca aat gaa agt ctt aag aat tac caa gat gcc ttg ctt cag	1076
Gln Glu Thr Asn Glu Ser Leu Lys Asn Tyr Gln Asp Ala Leu Leu Gln	
	310 315 320
agt gat ctc aca ttg tgc ccg gtc gga gta aac aca gaa tgc tat cga	1124
Ser Asp Leu Thr Leu Cys Pro Val Gly Val Asn Thr Glu Cys Tyr Arg	
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atc tat gag gct tgc tcc tat ggc tcc att cct gtg gtg gaa gac gtg	1172
Ile Tyr Glu Ala Cys Ser Tyr Gly Ser Ile Pro Val Val Glu Asp Val	
	345 350 355
atg aca gct ggc aac tgt ggg aat aca tct gtg cac cac ggt gct cct	1220
Met Thr Ala Gly Asn Cys Gly Asn Thr Ser Val His His Gly Ala Pro	

360	365	370	
ctg cag tta ctc aag tcc atg	ggt gct ccc ttt atc	ttt atc aag aac	1268
Leu Gln Leu Leu Lys Ser Met	Gly Ala Pro Phe Ile	Phe Ile Lys Asn	
375	380	385	
tgg aag gaa ctc cct gct gtt	tta gaa aaa gag aaa act ata att tta		1316
Trp Lys Glu Leu Pro Ala Val	Leu Glu Lys Glu Lys Thr Ile Ile Leu		
390	395	400	
caa gaa aaa att gaa aga aga	aaa atg tta ctt cag tgg tat cag cac		1364
Gln Glu Lys Ile Glu Arg Arg	Lys Met Leu Leu Gln Trp Tyr Gln His		
405	410	415	420
ttc aag aca gag ctt aaa atg	aaa ttt act aat att tta gaa agc tca		1412
Phe Lys Thr Glu Leu Lys Met Lys	Phe Thr Asn Ile Leu Glu Ser Ser		
425	430	435	
ttt tta atg aat aat aaa agt	tta ttatcttttt gagct		1451
Phe Leu Met Asn Asn Lys Ser			
440			